

GOVERNMENT OF THE DISTRICT OF COLUMBIA
D.C. Department of Human Resources

District Personnel Manual Issuance System

This instruction should be filed
behind the divider for Part III of DPM
Chapter (s) 11B

DPM Instruction No. 11B-58

SUBJECT: Superior Qualifications Appointments in the
Career and Management Supervisory Services

Date: May 28, 2008

NOTE: This instruction supersedes DPM Instruction No. 11B-37, *same subject*, dated March 25, 2005, for the purpose of updating the provisions for superior qualifications appointments.

SUPERIOR QUALIFICATIONS APPOINTMENTS

– DEFINITION –

- ***NEW*** (initial) appointment with the District government, or ***REAPPOINTMENT***, for which the **SALARY** is set ***ABOVE THE REPRESENTATIVE RATE**** for the position because of the ***SUPERIOR QUALIFICATIONS*** of the person selected for the position
- The ***SUPERIOR QUALIFICATIONS*** authority may be utilized for new appointments and reappointments to the ***CAREER SERVICE*** and ***MANAGEMENT SUPERVISORY SERVICE (MSS)***, to positions paid under salary or rate schedules ***WITH STEPS*** only, as follows:

*For an appointment to a [white collar] position paid under Career Service salary schedules (CS) **WITH STEPS** → **AT GRADES 7 – 14**; and*

*For an appointment to a [blue collar] position paid under a Career Service or MSS Wage Service rate schedule (RW, LW, SW, MW) → **AT ANY GRADE***

– CRITERIA –

- The ***SPECIAL NEEDS*** of the agency for the candidate's services;
- The candidate's ***UNUSUALLY HIGH OR UNIQUE QUALIFICATIONS*** for the position; or the ***EXCEPTIONAL OR HIGHLY SPECIALIZED NATURE*** of his/her ***TRADE OR CRAFT***, as applicable; and
- ***RATE OF BASIC PAY*** of the candidate.

*Please refer to page 2 of this instruction.

Note: DPM instructions that are strictly procedural in nature have direct applicability only to agencies and employees under the personnel authority of the Mayor. Other personnel authorities or independent agencies may adopt any or all of these procedures or guidance materials for agencies and employees under their respective jurisdictions. [See DPM Chapter 2, Part II, Subpart I, § 1.3.]

Inquiries: Compensation and Classification Administration, DCHR (202) 442-9700

Distribution: Heads of Departments and Agencies, HR Advisors, and DPM Subscribers

Retain Until Superseded

Other Provisions

a. Exclusions

The provisions in this instruction do not apply to new appointments or reemployments to positions in the Career Service or MSS paid from **OPEN RANGE SALARY SCHEDULES**. New appointments to the Excepted Service and Legal Service are also excluded.

b. Superior Qualifications Appointments Made by Reemployment

When a superior qualifications appointment is made by reemployment, the candidate must have had a break in service of at least 90 days since his or her last period of District government service.

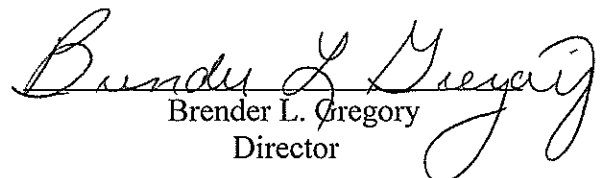
c. **Representative Rate** – the rate used to determine the nature of a job change when the job change involves different salary or rate schedules. Specifically, the representative rate is used to determine if the job change constitutes a promotion, change to lower grade, or reassignment, by comparing the representative rates of the salary/rate schedules involved in the job change. The representative rates for the various District government salary and rate schedules are as follows:

- The *4th step* for salary schedules with *10 steps*;
- The *3rd step* for rate schedules with *6 steps*; and
- The *midpoint range* for *open range salary schedules*.

d. Approval of Superior Qualifications Appointments

When justified, the appropriate official within the D.C. Department of Human Resources will consider and approve a request for a superior qualifications appointment submitted by a subordinate agency. The agency's request must include a justification stating the basis for requesting the particular rate of pay (see *D.C. Standard Form No. 11B-01* attached).

The *General Guide* attached to this instruction provides detailed information on the criteria for superior qualifications appointments, and outlines the procedures that agencies requesting the approval of this type of appointment must follow.


Brender L. Gregory
Director

Attachments:

- *Criteria for Superior Qualifications Appointments – General Guidance*
- *Standard Form No. 11B-01, Request for Superior Qualifications Appointment* (Rev. 5/08)

CRITERIA FOR SUPERIOR QUALIFICATIONS APPOINTMENTS

BASIS FOR THE APPOINTMENT:

The rate of basic pay of an individual newly appointed or reemployed to certain positions in the Career Service or Management Supervisory Service (blue collar (MSS)) may be set above the representative rate (a step 4 on a salary or rate schedule with 10 steps; a step 3 on a rate schedule with 6 steps) of the appropriate schedule on the basis of the superior qualifications of the individual, as follows:

FOR AN APPOINTMENT PAID UNDER:

- *A Career Service salary schedule (CS) WITH STEPS → AT GRADES 7 – 14*
- *A Career or MSS Wage Service rate schedule (RW, LW, SW, MW) → AT ANY GRADE*

GENERAL CONSIDERATIONS FOR THE APPOINTMENT:

1. The primary consideration in using the superior qualifications appointment authority is the ability to meet the needs of the District government by giving agencies some flexibility in negotiating salaries with individual candidates. Therefore, the authority shall be used only when necessary to meet the needs of the District government.
2. A request for a superior qualifications appointment should be submitted only after it is determined that the candidate is within reach on a certificate of eligibles or has reinstatement eligibility.
3. Before submitting a request for a new appointee, agencies must ensure that current employees will not be adversely impacted. That is, it is important not to disrupt the pay alignment of an organization just to hire one individual if that individual truly does not meet the requirements for a superior qualifications appointment.

CRITERIA FOR THE APPOINTMENT:

1. SPECIAL NEEDS of the Agency for the Candidate's Services –

- The agency has a need for the services of a particular candidate because his or her special experience, knowledge, or skills are essential to the accomplishment of a highly important agency program objective.

[It must be clearly demonstrated that a significant part of an agency's mission would be negatively impacted if the candidate is not hired. Mere convenience to the agency does not meet this criterion. Also, curtailment of a function at a single agency activity will not be the basis for the approval of a superior qualifications appointment unless it can be shown that this will materially affect the whole District government.]

2. QUALIFICATIONS of the Candidate Are –

- Significantly superior to those of a well-qualified candidate for the position being filled
- A rare combination of education and experience immediately pertinent to the position being filled

As applicable, an agency may also consider factors such as –

- The current labor/market conditions and employment trends
- Significant pay disparity between District government and non-District government salaries
- The candidate's high stature in the field of endeavor
- How well the candidate is regarded by others in the field
- The number of advanced degrees attained
- Published articles, unusual skills, or interdisciplinary training pertinent to the position being filled
- Whether the candidate's outstanding reputation will contribute to success on the job

3. The Candidate's RATE OF BASIC PAY (OR EXISTING PAY), which includes –

- The candidate's income from his or her present position and from any other employment which forms a regular, continuing portion of the candidate's total income
- Current bona fide offers of employment from other sources at a higher rate than the candidate's existing salary

[It is important to remember that the candidate's existing pay is only 1 factor and cannot be considered singly, and that this factor and the candidate's unusually high or unique qualifications for the position being filled must be considered jointly.]

PRIOR APPROVAL REQUIRED:

1. Prior approval from the Director of the Department of Human Resources (DCHR) (or designee) must be obtained when an agency wishes to make a superior qualifications appointment.
2. An agency may not appoint an individual at the first (1st) step of the grade and then request approval to change the appointment to a higher step based on a claim of superior qualifications.
3. A superior qualifications appointment is not appropriate after the candidate enters on duty, and retroactive approval will not be considered. [Selecting officials are cautioned against making firm salary commitments to prospective appointees before the approval of the Director, DCHR (or designee) is obtained.]

**PROCEDURES FOR REQUESTING A SUPERIOR QUALIFICATIONS APPOINTMENT/
REQUIRED DOCUMENTATION AND INFORMATION:**

1. The employing agency is required to complete a *Standard Form No. 11B-01, Request for Superior Qualifications Appointment*, and submit the form to the DCHR.
2. The submission must include the following information:
 - The basis for the rate of basic pay requested;
 - A complete justification for the use of the authority; and
 - A narrative comparing the candidate's qualifications with those of any others who may have been determined to be among the best qualified candidates available.

RECORD-KEEPING:

1. The DCHR will maintain a *RECORD* (file) of each request for superior qualifications (whether or not the request is approved). Each file is to include a copy of all of the following: (1) the Superior Qualifications Checklist; (2) the candidate's D.C. Form 2000 – Employment Application; (3) the Standard Form No. 11B-01; and (4) the Rating and Ranking Schedule and Selection Certificate (if the individual was selected competitively).
2. The original Standard Form No. 11B-01 for an approved superior qualifications appointment is to be filed on the right side of the selectee's Official Personnel Folder (OPF).

DOCUMENTATION OF PERSONNEL ACTIONS:

The personnel action for an approved superior qualifications appointment must be annotated in the remarks block to show the approval from the DCHR. An example of the language required is as follows:

"Rate of basic pay for Jane Brown at the fifth (5th) step of grade CS-13 approved by the DCHR on May 12, 2008, because of the candidate's superior qualifications."

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D.C. Department of Human Resources

REQUEST FOR SUPERIOR QUALIFICATIONS APPOINTMENT

Section 1 – Designated Office Within DCHR/Type of Appointment

DCHR NO./AGENCY NO.

DATE (Month, Day, Year)

To: D.C. Department of Human Resources

Type of Appointment [Initial Appt./Reappointment]:

- ☐ Career Appt. (Prob./Perm./Reinstatement) (Grades 1 – 14 Only)
- ☐ Career Appt. (Prob./Perm./Reinstatement) (Wage Grade)
- ☐ Career Appt. (Temporary/Term) (Grades 1 – 14 Only)
- ☐ Career Appt. (Temporary/Term) (Wage Grade Only)
- ☐ MSS Appt. (Wage Grade Only)

Attn: _____

Section 2 – Agency Requesting Superior Qualifications Appointment

Agency Name

For Information Call: (Name/Tel. No.)

Address

Title

Date

City, State, Zip Code

Signature of Agency Official Requesting this Action

Section 3 – Information on Candidate/Position Being Considered For/Proposed Salary

Name of the Candidate: _____

Title of the Position Being Considered for: _____

Pay Plan Designation (i.e., CS, MW, RW, SW) and Series of the Position: _____

Grade, Proposed Step and Salary: _____

Section 4 – Superior Qualifications of the Candidate

Enter or attach to request the candidate's completed D.C. 2000 – Employment Application; written justification; position description; and any other supporting documentation or statements.

Section 5 – To Be Completed by DCHR Representatives

Recommendation:

☐ Approve

☐ Disapprove

Human Resources Specialist

Date

Final Determination:

☐ Approved

☐ Disapproved

Director, DCHR (or Designee)

Date

(OVER)

D.C. Standard Form No. 11B-01 (Rev. 5/08)

INSTRUCTIONS

Agency:

- *Complete sections 1 through 4*
- *Under section 1, include the location (address) of the office within the D.C. Department of Human Resources (DCHR) to which the request is being submitted*
- *The written justification required under section 4 must include all information and documentation the agency considers relevant for the DCHR to determine whether the request should be approved, including a detailed analysis of the candidate's superior qualifications and how they compare to those of other candidates/applicants; existing salary, if applicable (include proof such as pay stubs), etc.*

[The regulations on superior qualifications appointments are contained in Chapter 11 of the D.C. personnel regulations, Classification and Compensation.]

DCHR:

- *Assign a "DCHR No./Agency No." (Section 1) to each DCSF No. 11B-01 received*
- *Sign and date the form (DCHR representative making the recommendation and approving or disapproving the request for superior qualifications appointment, respectively)*
- *File the original DCSF No. 11B-01 approving a request for superior qualifications on the right hand side of the employee's official personnel folder (OPF) along with the personnel action effecting the appointment (the DCSF No. 11B-01 becomes a permanent personnel record)*
- *Return the original DCSF No. 11B-01 and supporting documentation disapproving a request for superior qualifications to the agency, and keep a copy of the request*